

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek 07/14/2003  
Departmental Paperwork Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6625  
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 06/09/2003.

TITLE: Northeast Region Permit Family of Forms

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0202

EXPIRATION DATE: 03/31/2004

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	610,877	22,292	1,368
New	612,175	22,462	1,370
Difference	1,298	170	2
Program Change		170	2
Adjustment		0	0

TERMS OF CLEARANCE: None

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OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of  
Information and Regulatory Affairs

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# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) ( <i>if applicable</i> )	
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT  
NORTHEAST REGION SKATE AUTHORIZATION AND NOTIFICATION  
OMB CONTROL NO. 0648-0202**

**INTRODUCTION**

The New England Fishery Management Council (NEFMC) is proposing management measures to be implemented for the skate fishery to prevent overfishing and help rebuild certain stocks of skates included in the management unit. The proposed measures include three provisions for requiring participants in the skate fishery to obtain a Federal permit: (1) An open-access permit for all vessels intending to catch and retain any amount of skates or skate parts; (2) a vessel operator permit for operators of all vessels intending to fish for skates; and (3) a dealer permit for seafood dealers intending to receive skates or skate parts. In addition, this submission extends observer requirements to the skate fishery.

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) the Secretary of Commerce (Secretary) has responsibility for the conservation and management of marine fishery resources off the coast of the United States. The majority of this responsibility has been delegated to the Regional Fishery Management Councils and the National Oceanic and Atmospheric Administration's (NOAA's) National Marine Fisheries Service (NOAA Fisheries).

The Secretary was given certain regulatory authorities to ensure that these resources are utilized in the most beneficial manner. The requirement of a permit for users of these resources is one of the regulatory steps taken to carry out conservation and management objectives. Section 303 (b)(1) of the Magnuson-Stevens Act specifically addresses the need for permit issuance. In addition, almost every international, Federal, state and local fishery management authority recognizes the value and use of permits as part of their respective management systems. Thus, the Secretary has promulgated rules for the issuance of Federal Fisheries Permits.

The issuance of a permit is an essential part of managing fishery resources. The purpose and use of permits is to: (1) Identify and register vessel owners, vessel operators, fishing vessels, fish dealers and processors; (2) list the characteristics of fishing vessels and/or dealer/processor operations; (3) exercise influence over compliance with regulations (e.g., withhold permit issuance pending collection of unpaid penalties); (4) provide a mailing list for the dissemination of important information to the industry; (5) register participants to be considered for limited entry; and (6) provide a universe for data collection samples.

The permit system is an integral part of the management of fisheries in the Northeast Region of NOAA Fisheries. The proposed fishery management plan regulations for the skate fishery will include this new collection. It would not be possible to carry out the mandates of the Magnuson-Stevens Act and other laws if approval to issue this collection was to be denied.

## **Federal Permit Program**

This collection will contain a requirement for any vessel of the United States to have been issued and have on board a valid Federal permit from the Northeast Regional Administrator to fish for, catch, possess, transport, land, or process at sea any amount of skate or skate parts in or from the EEZ in U.S. waters of the western Atlantic Ocean from 35° 15.3' north latitude, the latitude of Cape Hatteras Light, North Carolina, northward to the U.S.-Canada border. Operators of fishing vessels with a skate permit will be required to obtain and have available on board a valid Federal vessel operator's permit. All seafood dealers who intend to receive skates or skate parts will be required to obtain a Federal dealer permit.

For admittance into the open access permit program, the entrant will be required to either: (a) Complete and submit an Initial Vessel Application if the applicant does not already hold a Federal Northeast fishing permit; or (b) sign, date, and submit a pre-printed vessel permit application (provided to the applicant) if they already hold at least one Federal Northeast fishing permit. These permits are to be kept on board the vessel during the extent of program participation in order to verify enrollment in the program. The information collected for participation in the open access permit program consists of vessel owner name, mailing address, vessel name, and participation period.

For admittance into the vessel operator permit program, the entrant will be required to complete an application and provide additional documentation in the form of two color passport-sized photos to NOAA Fisheries. The information collected for participation in the vessel operator permit program consists of operator name, address, telephone number, and personal description information such as hair and eye color, height, and weight.

For admittance into the dealer permit program, the entrant will be required to either: (a) Complete and submit an Initial Dealer Application if the applicant does not already hold a Federal Northeast dealer permit; or (b) sign, date, and submit a pre-printed dealer permit application (provided to the applicant) if they already hold at least one Federal Northeast dealer permit. To be eligible for the dealer permit, the applicant must hold a valid state wholesaler's license in the state where he or she operates.

## **Observer Requirements**

Any vessel holding an permit for skate may be requested to carry a NOAA Fisheries approved observer or sea sampler. Such requests are made at the discretion of the Regional Administrator for the purpose of monitoring fishing activities, collection of data, and compliance as stated under 50 CFR 648.11. Coverage is intermittent and generally occurs on less than one percent of all fishing trips. Owners of selected vessels are required to call to arrange deployment of observers on their vessels. Requests for observer coverage are made from the list of permit holders for those fishing for skate.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

The information will be used by several offices of NOAA Fisheries and the U.S. Coast Guard. The vessel, dealer, and operator permit programs require written applications and supporting documentation to be prepared and submitted to NOAA Fisheries by the entrant. This information is required at initial application and annually thereafter.

The data collected through these programs will be incorporated into the NOAA Fisheries databases. Aggregated summaries of the collected information will be used to evaluate the management program and future management proposals. Individual permit information will be required, however, for law enforcement or notification programs. Notification information will be used to assign vessel observers.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The vessel, dealer, and operator permit programs require written applications and supporting documentation to be prepared and submitted to NOAA Fisheries by the entrant. The applications are available electronically for download from the NOAA Fisheries Northeast Regional Office website, or will be mailed to the applicant in advance of the new regulations becoming effective. The operator permit application requires photographs of the applicants be submitted with the application. The open access permit application is made via an automated phone call. The vessel permit application requires information on the specifications of the subject vessel.

**4. Describe efforts to identify duplication.**

NOAA Fisheries is aware of all related fishery management activities, and these requirements do not duplicate any in existence.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

All respondents would be expected to qualify as small businesses. To minimize the burden on small entities, only the minimum data needed to monitor compliance with regulations are requested from all respondents.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

The consequences of not conducting the collection of information described above would be immense. This collection of information is necessary for a variety of reasons, from monitoring fishing effort to collecting valuable fishery information. Furthermore, reducing the frequency of collection would also compromise the ability to monitor vessel activities, in turn affecting the enforcement of management measures.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

The data collection is consistent with OMB guidelines.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

The New England Fishery Management Council held many Council and Skate Oversight Committee meetings during 2000-2002 at which there was a public discussion of monitoring requirements. The draft FMP and DEIS, which identified the proposed permitting and reporting requirements, was made available for public review on August 30, 2002. The NEFMC held five public hearings on the proposed management program between September 16 and October 1, 2002. The public had opportunity to provide written comments on the management program through October 15, 2002. Experience with various programs, some of which have been operating since 1981, provides continual feedback to NOAA Fisheries on issues and concerns of the applicants.

A proposed rule will also solicit public comment on these requirements.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payment or gift will be made to respondents.



**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

All data will be kept confidential as required by NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form (and without identifying the source of data, e.g., vessel name, owner, etc.).

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There are no questions of a sensitive nature.

**12. Provide an estimate in hours of the burden of the collection of information.**

It is difficult to completely estimate the burden associated with the permit programs since the frequency of participation will be determined entirely by the vessel owner. Owners or operators of all vessels seeking to participate in the skate fishery must request a permit from the Regional Administrator.

According to the dealer weighout database for 1999 (the baseline year used for analysis), there were 120 vessels that landed skates in the directed bait fishery. In this same year, 775 vessels reported landings of skate in the primarily incidental catch wing fishery. This suggests that a total of 895 vessels would likely request an open access skate permit but 120 of these would need to complete the initial permit application and the remaining 795 would be existing permit holders. The estimated time required to request an open access permit is 15 minutes per response for an initial permit and 1 minute per response for an existing permit holder, which includes time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information.

Only those vessel operators that do not already hold an operator permit for another fishery would be expected to request a new operator permit as a result of the Skate FMP. Because 775 vessels noted above that reported landings of skate wings would be permitted in another Northeast fishery, no more than 120 vessel operators are expected to request an operator's permit. The estimated time required to request a vessel operator permit is 1 hour per response, which includes time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Based on a review of the dealer weighout reporting database, approximately 133 dealers are estimated to request a dealer permit, and 3 of these are expected to need an initial dealer permit application. The remaining 130 dealer applicants would be existing permit holders. The estimated time required to request a dealer permit is 5 minutes per response for an initial permit and 1 minute per response for an existing permit holder, which includes time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information.

The cost calculations for the permit family of forms assume an average wage and overhead cost for respondents of \$15/hour.

Generally, there are approximately 150 observer deployments requested annually for all Federally-permitted vessels in the Northeast Region. Owners of selected vessels are required to call and arrange deployment of observers on their vessels. Calls for observer deployments to skate vessels are estimated to take 2 minutes each. Availability of observers is considered the limiting factor in the extent of coverage for this program. The total number of observer deployments is not expected to increase as a result of implementation of the Skate FMP.

The burden hour estimates and costs for this collection of information are summarized in Table 1.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

The only costs to the public are to mail a permit application. The vessel permits require a one-page written form and the dealer permits require a two-page written form to be mailed in for a total estimated cost of \$0.70 per applicant, including printing or copying costs plus postage. We expect 895 vessel permit applicants and 133 dealer permit applicants, so the total costs for the public are expected to be \$719.60. The operator permits require a one-page application to be mailed in along with two passport-sized photos. The estimated costs for this application are \$10 per applicant, which includes the cost of printing or copying the application, the cost for the passport-sized photos, and the cost of the postage. We expect no more than 120 applicants, so the total costs to the public are expected to be \$1,200.

**14. Provide estimates of annualized cost to the Federal government.**

The following information is summarized in Table 1.

Estimated annualized costs to the Federal Government assumes that the average cost for issuance of a permit reflects the time associated with filing and entry and exit notice. The costs associated with the permit program is estimated at \$25/hour to the government. Since there are 895 vessels estimated to participate in the open access skate fishery, 120 vessel operators estimated to request operators permits to participate in the skate fishery, and 133 dealers estimated to receive skate or skate parts, the costs for issuing the three types of permits will be \$4,258.50.

The cost calculations for observer deployment are based on \$25/hour wage and overhead value for the government.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

These are new requirements and therefore a program change.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States, which follow prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only. Data are available to NEFMC and NOAA Fisheries employees in detailed form on a need-to-know basis only.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

N/A.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

There are no exceptions.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

No statistical methods are employed in the information collection procedures; the requirements are mandatory for participants in the skate fishery.

## Burden and Cost Estimates for the Public and the Government

<b>Table 1: Permit Categories</b>								
<b>Requirement</b>	<b>Number of Entities</b>	<b>Items per Entity</b>	<b>Total Number of Items</b>	<b>Response Time (minutes)</b>	<b>Total Burden (hours)</b>	<b>Material Costs</b>	<b>Cost to Public (1)</b>	<b>Cost to Government (2)</b>
Vessel Permit—new	120	1	120	15	30.0	\$84.00	\$534.00	\$750.00
Vessel Permit—existing	775	1	775	1	12.92	\$542.50	\$736.30	\$323.00
Vessel Operator Permit	120	1	120	60	120.0	\$1,200.00	\$3,000.00	\$3,000.00
Dealer Permit—new	3	1	3	5	0.25	\$2.10	\$5.85	\$6.25
Dealer Permit —existing	130	1	130	1	2.17	\$91.00	\$123.55	\$54.25
Observer Deployment	895	0.17	150	2	5.0	\$0.00	\$75.00	\$125.00
<b>Total</b>	1148*		1298		170.34	\$1,919.60	\$4,474.70	\$4,258.50

(1) Calculated by adding the material costs to the total burden hour costs (assumed to be \$15 per hour).

(2) Assumed to be \$25 per hour.

\* Total excludes observer deployment respondents because they are already counted under permit applications.



**NATIONAL MARINE FISHERIES SERVICE**  
**Northeast Regional Office / Fisheries Statistics Office**



**NORTHEAST FEDERAL FISHERIES**  
**INITIAL VESSEL APPLICATION INSTRUCTIONS**

**In Sections 1 and 2, fill in ALL items:**

Mail the completed application package to: National Marine Fisheries Service (NMFS), Permits Operations, 1 Blackburn Drive, Gloucester, MA 01930-2298. **No walk-in service is available.** There is a 30-day processing period for all application packages. This 30-day processing period begins when a **correct and complete** application package is received in the NMFS Permit Office. **Questions? Please refer to the NMFS Northeast Region Web Page at [www.nero.nmfs.gov](http://www.nero.nmfs.gov) for applications, instructions, fisheries regulations, and other important information, or call 978-281-9278.**

**SECTION 1: VESSEL/OWNER INFORMATION**

**Enter information in the spaces provided. ALL items must be completed.**

**Vessel Name:** Current name of vessel, or enter “unnamed” if not applicable.

**Owner Name:** Include name **exactly** as it appears on the vessel ownership documentation (US Coast Guard Documentation, State Registration, or Title of Vessel Ownership). If the vessel is owned by a corporation, submit a **current** copy of documentation from the State of Incorporation verifying corporate status. If the vessel is owned by a partnership, submit a **current** copy of the Partnership agreement. (See Section 5 for additional documents required.)

**Address and Telephone Number:** Include 4-digit addition to zip code (if known) and area code for phone number.

**Coast Guard Documentation or State Registration Number:** You **must include a photocopy** of the vessel’s **current** US Coast Guard documentation or State registration in your application package. (See Section 5 for additional documents required.)

**Hailing Port:** City and State where vessel is moored.

**Principal Port:** City and State where the majority of your landings occur.

**SECTION 2: VESSEL INFORMATION**

**Enter information in spaces provided. ALL items must be completed.**

**Vessel length:** Overall length in feet.

**Crew Size:** Average number of crew, **including** the captain.

**Gross Tonnage:** As recorded on US Coast Guard Documentation.

**Year Built:** The year the vessel was built.

**Main Engine HP:** The vessel engine horsepower.

**Fish Hold Capacity:** Measured to the nearest 100 pounds.

**Dredge Size:** Dredge size in feet.

**Number of Dredges:** Total number of dredges aboard the vessel.

**Pump Horsepower:** This item applies to surf clam/ocean quahog vessels only.

**Construction:** 1=Wood, 2=Fiberglass, 3=Steel, 4=Other.

**Propulsion:** 1=Gasoline, 2=Diesel, 3=Other.

**Number of Passengers for Charter or Party:** Number of passengers the vessel is licensed to carry. (See Section 5 for additional documents required.)

### **SECTION 3: FISHERY INFORMATION**

Except as noted for limited access fisheries, you may select a fishery, category, or gear code by entering the information in the spaces provided.

**Category:** For each fishery you want to add, select the category that best describes your fishing operations, and write the category numbers or letters in the column marked “**Category**”.

**Gear Code:** For each fishery, you must select the applicable gear codes from the Gear Code table below. Write the **gear code numbers** in the column marked "Gear Code". You may select more than one gear code for a category. **If no gear code is selected, the application can not be processed and will be returned to you.**

#### **Gear Codes and Description**

<b>120</b> Purse Seines	<b>330</b> Other Trawls	<b>912</b> Rod and Reel
<b>210</b> Beach Seines	<b>410</b> Dredge	<b>920</b> Longlines or Setlines
<b>220</b> Boat Seines	<b>700</b> Gill/Entangling Nets	<b>1010</b> Harpoons
<b>310</b> Bottom Trawls	<b>800</b> Pots and Traps	<b>1200</b> Other Gear
<b>320</b> Mid-water Trawls	<b>911</b> Hand Lines	<b>1400</b> Diving Gear

## **DESCRIPTION OF NORTHEAST FISHERIES PERMITS – CATEGORIES (SHADED)**

### **ATLANTIC SEA SCALLOP**

**Open Access Permit:** Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.

<b>1</b>	<b>General:</b> Possess or land no more than 400 lbs of shucked scallops, or 50 US bushels of in-shell scallops per trip (one trip per calendar day).
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**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them or be issued only to approved replacements of such vessels. Please note: All permits issued will be valid for the entire fishing year. A vessel owner has 45 days from the first effective date of his/her permit within a permit year to make a change to the permit category. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

<b>2</b>	<b>Full-Time*</b>
<b>3</b>	<b>Part-Time*</b>
<b>4</b>	<b>Occasional</b>
<b>5</b>	<b>Full-Time - Small Dredge*:</b> Category 3 (Part-Time) vessel may elect this category for the entire year. May fish for scallops using one dredge no larger than 10.5 ft. and a crew no larger than five.
<b>6</b>	<b>Part-Time - Small Dredge*:</b> Category 4 (Occasional) vessel may elect this category for the entire year. May fish for scallops using one dredge no larger than 10.5 ft. and a crew no larger than five.
<b>7</b>	<b>Full-Time - Authorized to use trawl nets*</b>
<b>8</b>	<b>Part-Time - Authorized to use trawl nets*</b>
<b>9</b>	<b>Occasional - Authorized to use trawl nets</b>

\*Vessel Monitoring System (VMS) required to be installed and in continuous operation onboard the vessel.

### **NORTHEAST MULTISPECIES**

**Regulated species:** Cod, haddock, yellowtail flounder, pollock, redfish (ocean perch), winter flounder (blackback), American plaice (dab), witch flounder (grey sole), windowpane flounder (sand dab) and white hake

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**Other multispecies:** Silver hake (whiting), red hake (ling), offshore hake, white hake, ocean pout, and Atlantic halibut (vessels may land or possess on board no more than one Atlantic halibut per trip of at least 36 inches)

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**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them or be issued only to approved replacements of such vessels. Please note: All permits issued will be valid for the entire fishing year. A vessel owner has 45 days from the first effective date of his/her permit within a permit year to make a change to the permit category. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

## Multispecies Continued.

<b>A</b>	<b>Individual DAS</b>
<b>B</b>	<b>Fleet DAS</b>
<b>C</b>	<b>Small Vessel Exemption:</b> (less than or equal to 30 feet)
<b>D</b>	<b>Hook Gear:</b> (Vessels in this category may not change category)
<b>E</b>	<b>Combination Vessels:</b> (Vessels in this category may not change category)
<b>F</b>	<b>Large Mesh Individual DAS:</b> Category A (Individual DAS) or E (Combination) vessels may elect this category for the entire year. The DAS allocation for vessels fishing under this permit category will be equivalent to their used DAS baseline plus a 36% increase. These vessels must fish with either gillnets or trawl nets having a minimum of 8.5-inch square or diamond mesh when fishing in the Gulf of Maine, Georges Bank, or Southern New England Regulated Mesh Areas, and 7.5-inch diamond or 8.0-inch square mesh when fishing in the Mid-Atlantic Regulated Mesh Area.
<b>G</b>	<b>Large Mesh Fleet DAS:</b> Category B (Fleet DAS) vessels may elect this category for the entire year. The DAS allocation for vessels fishing under this permit category will be equivalent to their used DAS baseline plus a 36% increase. These vessels must fish with either gillnets or trawl nets having a minimum of 8.5-inch square or diamond mesh when fishing in the Gulf of Maine, Georges Bank, or Southern New England Regulated Mesh Areas, and 7.5-inch diamond or 8.0-inch square mesh when fishing in the Mid-Atlantic Regulated Mesh Area.

**For information on Area Declaration/Letters of Authorization, see page 10, appendix A.**

**Open Access Permits: Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

<b>H</b>	<b>Handgear:</b> Beginning August 1, 2002, this permit <b>will not</b> be issued to any vessel that <b>has not</b> previously held it, or to vessels whose owner(s) <b>did not</b> submit a complete application for this permit by August 1, 2002. This rule will be in effect for the duration of the interim final rule. The vessel may possess and land up to 200 lbs combined weight of cod, haddock, and yellowtail flounder, one Atlantic halibut of at least 36 inches in size, and unlimited amounts of other Northeast multispecies, provided that only rod and reel or handline gear is used or possessed on the vessel while in possession of, fishing for, or landing Northeast multispecies, and provided that there is at least one standard tote on board. A standard tote is a box designed to hold 100 lbs of fish plus ice and that has a liquid capacity of 70 L, or a volume of not more than 4,320 cubic inches.
<b>I</b>	<b>Charter/Party:</b> May possess and land multispecies in the EEZ when carrying passengers for hire. (See Section 5 for additional information.)
<b>J</b>	<b>Scallop Multispecies Possession Limit:</b> May possess and land up to 300 lbs of regulated species while fishing under a scallop DAS. <b>Vessel must have a Limited Access Scallop Permit to qualify for this category.</b>
<b>K</b>	<b>Open Access Multispecies:</b> May fish for silver hake (whiting), red hake (ling), offshore hake, ocean pout, or Atlantic halibut (vessels may land or possess on board no more than one Atlantic halibut per trip, at least 36 inches) when participating in an exempted fishing program.



## MONKFISH

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them, or to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

<b>A</b>	Vessels that were issued permits in this category in the previous fishing year and do not possess a limited access multispecies permit or a limited access scallop permit that landed at least 50,000 lbs tail-weight or 166,000 lbs whole weight of monkfish during the monkfish qualification period.*
<b>B</b>	Vessels that were issued permits in this category in the previous fishing year and do not possess a limited access multispecies permit or a limited access scallop permit that are less than 51 Gross Registered Tons (GRT) and do not qualify for a Category A permit. Vessels under this category must have landed at least 7,500 lbs tail-weight or 24,900 lbs whole weight of monkfish during the monkfish qualification period.*
<b>C</b>	Vessels that were issued permits in this category in the previous fishing year and also possess a limited access multispecies permit or a limited access scallop permit that landed at least 50,000 lbs tail-weight or 166,000 lbs whole weight of monkfish during the monkfish qualification period.*
<b>D</b>	Vessels that were issued permits in this category in the previous fishing year and also possess a limited access multispecies permit or a limited access scallop permit that do not qualify for a Category C permit. Limited access scallop vessels must be less than 51 Gross Registered Tons (GRT) to be eligible. Vessels under this category must have landed at least 7,500 lbs tail-weight or 24,900 lbs whole weight of monkfish during the monkfish qualification period.*

**\* Monkfish Qualification Period: February 28, 1991 through February 27, 1995**

**Area Declaration:** Please note that vessels fishing exclusively in the Northern Fishery Management Area for monkfish may also request a Southern Fishery Management Area Exemption Certificate. Contact Permits Operations at 978-281-9370.

**Open Access Permit:** This permit may be issued to any vessel not issued a monkfish limited access permit—to fish for, possess, or land monkfish. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

<b>E</b>	<b><u>Incidental Catch:</u></b> Allows a vessel to possess and land a limited amount of monkfish, depending on fishing year, area fished, and gear fished. For specific limit amounts, contact the Fisheries Information Line at 978-281-9278.
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### SURF CLAM/OCEAN QUAHOG

**Open Access Permits:** Further restrictions may apply to specific categories. Refer to Northeast Fishery Regulations.

1	<b>Surfclam:</b> May harvest surfclams.*
6	<b>Ocean Quahog:</b> May harvest ocean quahogs.*

\* To harvest and land surfclams or ocean quahogs from the EEZ, an allocation of quota is required. For more information call 978-281-9278.

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held it or be issued only to approved replacements of such vessels. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

7	<b>Maine Mahogany Quahog:</b> May harvest ocean quahogs without an allocation from the EEZ in the area north of latitude 43 degrees 50 minutes N.
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### SUMMER FLOUNDER (FLUKE)

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held it or be issued only to approved replacements of such vessels. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

1	<b>Commercial Moratorium</b>
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**Open Access Permit:** Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.

2	<b>Charter/Party:</b> May fish for or possess summer flounder in the EEZ while carrying passengers for hire. (See Section 5 for additional information.)
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### SCUP (PORGY)

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held it or be issued only to approved replacements of such vessels. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

1	<b>Scup Moratorium</b>
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**Open Access Permit:** Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.

2	<b>Charter/Party:</b> May fish for or possess scup in the EEZ while carrying passengers for hire. (See Section 5 for additional information.)
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## **BLACK SEA BASS**

**Limited Access Permit:** This permit may only be renewed by vessels that have previously held it or be issued only to approved replacements of such vessels. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

1	<b><u>Black Sea Bass Moratorium:</u></b> May fish commercially in the EEZ north of 35 degrees 15.3 minutes N latitude during open season, subject to trip limits.
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**Open Access Permit:** Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.

2	<b><u>Charter/Party:</u></b> May fish for or possess black sea bass in the EEZ north of 35 degrees 15.3 minutes N. latitude while carrying passengers for hire. (See Section 5 for additional information.)
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## **SQUID, MACKERAL, AND BUTTERFISH**

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them or be issued only to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

1	<b><u>Loligo/Butterfish Moratorium</u></b>
5	<b><u>Illex Squid Moratorium</u></b>

**Open Access Permits:** Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

2	<b><u>Squid/Mackerel/Butterfish Charter/Party:</u></b> May fish for or possess <b>Loligo</b> or <b>Illex</b> squid, or butterfish in the EEZ while carrying passengers for hire. (See Section 5 for additional information.)
3	<b><u>Squid/Butterfish Incidental Catch:</u></b> May fish commercially in the EEZ for up to 2,500 lbs of <b>Loligo</b> squid or butterfish and 5,000 lbs of <b>Illex</b> squid per trip.
4	<b><u>Atlantic Mackerel:</u></b> May commercially fish for Atlantic mackerel in the EEZ.

## **SPINY DOGFISH**

**Open Access Permit:** Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.

1	<b><u>General:</u></b> May commercially fish for, possess, or land spiny dogfish caught in or from the EEZ.
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### ATLANTIC BLUEFISH

**Open Access Permits:** Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

1	<b><u>Commercial:</u></b> May possess or harvest Atlantic bluefish from the EEZ in excess of the daily possession limit.
2	<b><u>Charter/Party:</u></b> May fish for or possess Atlantic bluefish from the EEZ while carrying passengers for hire. (See Section 5 for additional information.)

### ATLANTIC HERRING

**Open Access Permits:** Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.

1	For vessels that caught more than 500 mt of Atlantic herring in the last calendar year or intend to catch more than 500 mt of Atlantic herring during this calendar year. <b>An operational Vessel Monitoring System is required to be onboard the vessel for this category.</b> (See Section 5 for additional information.)
2	For vessels that did not catch more than 500 mt of Atlantic herring in the previous calendar year or will not catch more than 500 mt of Atlantic herring during the current calendar year.

### TILEFISH

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them or be issued only to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations. Note: For all tilefish limited access permit categories (A-C), the only allowable gear is longline gear (Code 920).**

A	<b><u>Full-time tier 1:</u></b> To fish commercially for, possess, or land tilefish in or from the EEZ. This category is allocated 66 percent of the total allowable landings (TAL), after being reduced 5 percent to adjust for the incidental catch. To qualify, the vessel must have landed at least 250,000 lbs of tilefish per year for any 3 years between 1993 and 1998, at least 1 lb of which was landed prior to June 15, 1993.
B	<b><u>Full-time tier 2:</u></b> To fish commercially for, possess, or land tilefish in or from the EEZ. This category is allocated 15 percent of the total allowable landings (TAL), after being reduced 5 percent to adjust for the incidental catch. To qualify, the vessel must have landed at least 30,000 lbs of tilefish per year for any of 3 years between 1993 and 1998, at least 1 lb of which was landed prior to June 15, 1993.
C	<b><u>Part-time:</u></b> To fish commercially for, possess, or land tilefish in or from the EEZ. This category is allocated 19 percent of the total allowable landings (TAL), after being reduced 5 percent to adjust for the incidental catch. To qualify, the vessel must have landed 10,000 lbs of tilefish in any 1 year between 1988 and 1993 and 10,000 lbs in any 1 year between 1994 and 1998, or landed 28,000 lbs of tilefish in any 1 year between 1984 and 1993.

**Tilefish continued.**

**Open Access Permit:** This permit may be issued to any vessel not issued a tilefish limited access permit—to fish for, possess, or land tilefish in or from the EEZ. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

<b>D</b>	<b>Incidental Catch:</b> A vessel may possess or land tilefish in or from the EEZ up to 300 lbs per trip.
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**AMERICAN LOBSTER**

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them or be issued only to approved replacements of such vessels. If eligible, you may select more than one category. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.**

<b>1</b>	<b>Commercial – Non-Trap:</b> May harvest lobster in the EEZ without using traps/pots (gear 800).
<b>2</b>	<b>Charter/Party – Non-Trap:</b> May harvest lobster in the EEZ without using traps/pots (gear 800).
<b>A1</b>	<b><u>Commercial – Trap Gear Area 1:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 1.
<b>A2</b>	<b><u>Commercial – Trap Gear Area 2:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 2. Must also select Federal Lobster Management Area 2/3 Overlap to be eligible for this category
<b>A23</b>	<b><u>Commercial – Trap Gear Area 2/3 Overlap:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 2/3 Overlap. (You must also select Area 2, Area 3, or both areas to be issued this category.)
<b>A3</b>	<b><u>Commercial – Trap Gear Area 3:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 3. Must also select Federal Lobster Management Area 2/3 Overlap to be eligible for this category
<b>A4</b>	<b><u>Commercial – Trap Gear Area 4:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 4.
<b>A5</b>	<b><u>Commercial – Trap Gear Area 5:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 5.
<b>A6</b>	<b><u>Commercial – Trap Gear Area 6:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Area 6. Vessel owner must possess a valid CT or NY state lobster license to be eligible for this category.
<b>AOC</b>	<b><u>Commercial – Trap Gear Outer Cape Area:</u></b> May harvest lobster using gear 800 (pots/traps) in Federal Lobster Management Outer Cape Area.

## ATLANTIC DEEP-SEA RED CRAB

**Limited Access Permits:** These permits may only be renewed by vessels that have previously held them or be issued only to approved replacements of such vessels. **Further restrictions may apply to specific categories. Refer to Northeast Fisheries Regulations.** **Note:** For both red crab limited access permit categories (B and C), the only allowable gear is pot/trap gear (Code 800).

<b>B</b>	Must demonstrate average Atlantic Deep-Sea Red Crab landings greater than 250,000 lbs per year during the 3-year period of March 1, 1997 through February 29, 2000. Vessels in this category will be subject to a baseline trip limit of 75,000 lbs.
<b>C</b>	Must demonstrate average Atlantic Deep-Sea Red Crab landings greater than 250,000 lbs per year and documented proof of one trip with landings higher than 75,000 lbs during the 3-year period of March 1, 1997 through February 29, 2000. Upon demonstrating proof of a trip with landings higher than 75,000 lbs, the vessel then qualifies for a trip limit equal to the larger trip, rounded to the nearest 5,000 lbs.

**Open Access Permit:** This permit may be issued to any vessel not issued a red crab limited access permit—to fish for, possess, or land red crab in or from the EEZ. **Further restrictions may apply to this category. Refer to Northeast Fisheries Regulations.**

<b>A</b>	May possess or land red crab in or from the EEZ up to 500 lbs per trip.
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## SECTION 4: APPLICATION INSTRUCTIONS & OWNER'S SIGNATURE

Please sign and date the form. Unsigned, or otherwise incomplete applications, will be returned. Your signature is an affirmation, under penalty of perjury, that all the information provided in obtaining this permit is true and correct. Submitting false information in connection with an application could subject you to criminal/civil penalties or permit sanctions.

## SECTION 5: ADDITIONAL DOCUMENTS REQUIRED

### **1. CERTIFICATE OF INCORPORATION, PARTNERSHIP AGREEMENT OR ANNUAL REPORTS:**

If the vessel is owned by a corporation or a partnership, the following information must be submitted with the application form:

- A copy of the Certificate of Incorporation must be submitted once. Each year, documents showing current corporate status and all officers and shareholders owning 25% or more of the shares in the corporation must be submitted.
- The list of corporate officers and shareholders must include their addresses (examples of acceptable documentation include Minutes from the Corporation Annual Meeting listing the names and addresses of the officers and stockholders, or a signed and dated letter from a Corporate Officer listing the names and addresses of current officers and stockholders).
- Partnerships must submit a copy of the partnership agreement once. Each year, the names and addresses of all partners must be submitted.

## **2. SCALLOP VESSELS OWNED:**

If you are renewing a limited access sea scallop permit, you must attach a list of the following information for all vessels in which you have an ownership interest and that hold limited access sea scallop permits.

- Owner names—not Business or Corporate names.
- Vessel names and permit numbers.

## **3. USCG DOCUMENTATION:**

A copy of the vessel's current US Coast Guard Documentation, or, if undocumented, a copy of the vessel's current State Registration.

## **4. CHARTER/PARTY PERMIT:**

If you hold, or are applying for, a charter/party permit, you must submit a copy of the vessel's current charter/party license. A copy of one of the following documents is acceptable:

- Current state license showing the vessel is authorized to carry charter/party passengers.
- Current US Coast Guard Documentation that shows the vessel is presently documented for "Coastwise".
- Current US Coast Guard license to operate or navigate passenger carrying vessels.

## **5. ATLANTIC HERRING FISHERY:**

If your vessel caught more than 500 mt of Atlantic herring in the previous fishing year, or if your vessel intends to catch more than 500 mt of Atlantic herring during the current fishing year, please include a statement so stating and attach a copy of a vendor installation receipt from a NMFS-approved Vessel Monitoring System (VMS) vendor, as described in Section 648.9 of the regulations for the Fisheries of the Northeastern United States.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing & reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. The Paperwork Reduction Act requires that potential respondents for a fishing vessel permit be notified of certain information regarding their rights and the burden associated with applying for Federal fisheries permits. One of the regulatory steps taken by the National Marine Fisheries Service to carry out its conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to fish for or retain these species in or from the EEZ, Section 303 (b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance. The purpose and use of these permits are to: (1) register industry participants and fishing vessels, (2) list the characteristics of fishing vessels, (3) exercise influence over compliance, (4) provide a mailing list for the dissemination of important information to the industry, (5) register participants to be considered for limited entry, and (6) provide a universe for data collection samples. Both the MSFCMA and Executive Orders 12866 et al. require the determination of this information. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Any information submitted by any person to obtain a permit is not confidential, and may be disclosed upon request.

## **APPENDIX A: AREA DECLARATION / LETTERS OF AUTHORIZATION**

**Area Declaration:** Please note that vessels fishing exclusively south of the Gulf of Maine (GOM) may request a **Gulf of Maine Cod Trip Limit Exemption Authorization**. Contact the Permit Office at 978-281-9370.

**Exemption Authorization From the Monkfish Southern Fishery Management Area Landing Limit and Minimum Fish Size:** Vessels fishing exclusively for monkfish within the Northern Fishery Management Area (NFMA) may request this Letter of Authorization by calling Permits Operations at 978-281-9370.

**Yellowtail Flounder Possession Authorization:** New regulations that became effective August 1, 2002, prohibit the possession or landing of yellowtail flounder in or from the Southern New England and Mid-Atlantic Regulated Mesh Areas south of 40 degrees 00 minutes N. lat. As a result, any vessel that wishes to possess or land yellowtail flounder from the Regulated Mesh Areas north of 40 degrees 00 minutes N. lat. must obtain one of the following Yellowtail Flounder Possession/Landing Letters of Authorization for a minimum of 30 consecutive days.

**Gulf of Maine and Georges Bank Yellowtail Flounder Possession/Landing Authorization:** Vessels that fish any portion of a trip under a Northeast multispecies DAS in the Gulf of Maine or Georges Bank Regulated Mesh Areas north of 40 degrees 00 minutes N. lat. are not subject to a possession limit. Vessels that participate in this exemption program may not fish outside the Gulf of Maine and Georges Bank Regulated Mesh Areas while participating in this authorization program, and fishing under a Northeast multispecies DAS, except for transiting purposes provided all gear is stowed according to the regulations.

**Southern New England and Mid-Atlantic Yellowtail Flounder Possession/Landing Authorization:** Vessels that fish any portion of a trip under a Northeast multispecies DAS in the Southern New England or Mid-Atlantic Regulated Mesh Areas north of 40 degrees 00 minutes N. lat. are subject to the trip limits specified below. Vessels that participate in this exemption program may not fish outside the Southern New England or Mid-Atlantic Regulated Mesh Areas north of 40 degrees 00 minutes N. lat. while participating in this authorization program, and fishing under an NE multispecies DAS, except for transiting purposes provided all gear is stowed according to the regulations.

- March 1 through May 31: A possession and landing limit of 250 lbs of yellowtail per trip.
- June 1 through February 28: A possession and landing limit of 750 lbs of yellowtail flounder per day and 3,000 lbs per trip.

1/15/03 Initial Instructions





MONTH : \_\_\_\_\_ YEAR : \_\_\_\_\_

Section 1 - VESSEL/OWNER INFORMATION

Vessel Name: \_\_\_\_\_  
Owner Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Owner Telephone: \_\_\_\_\_  
CG Documentation or State Registration Number: \_\_\_\_\_  
Hailing Port: \_\_\_\_\_  
Principal Port: \_\_\_\_\_

Section 2 - VESSEL INFORMATION

Vessel Length: _____	Dredge Size: _____
Crew Size: _____	Number of Dredges: _____
Gross Tonnage: _____	Pump Horsepower _____
Year Built: _____	Construction: _____
Main Engine HP: _____	Propulsion: _____
Fish Hold Capacity: _____	No. Passengers for Charter or Party: _____

Section 3 - FISHERY INFORMATION

Fishery	Category	Gear(s)
Sea Scallops	_____	_____
NE Multispecies	_____	_____
Monkfish	_____	_____
Surfclam	_____	_____
Ocean Quahog	_____	_____
Summer Flounder	_____	_____
Scup	_____	_____
Black Sea Bass	_____	_____
Squid/Mack/Butterfish	_____	_____
Spiny Dogfish	_____	_____
Atlantic Bluefish	_____	_____
Atlantic Herring	_____	_____
American Lobster	_____	_____
Tilefish	_____	_____
Atlantic Deep-Sea Red Crab	_____	_____

Section 4 - OWNER'S SIGNATURE

I, the undersigned, am the owner or legally authorized agent of the owner of the vessel named in Section 1 above. I affirm, subject to the penalties provided in 18 USC 1001, that all information I have given in obtaining this permit is true and correct.

Previously permitted  
vessel permit # \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

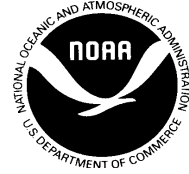
12.19.02

Date: \_\_\_\_\_

OMB# 0648-0202 EXP 03-31-2004



United States Department of Commerce  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service - Permits Operations  
One Blackburn Drive - Gloucester, MA 01930-2298  
(978) 281-9320



**INITIAL APPLICATION FOR COMMERCIAL VESSEL OPERATOR PERMIT**

FULL NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

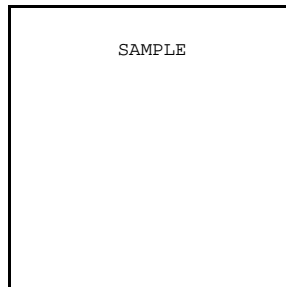
CITY/STATE/ZIP CODE \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_

HAIR COLOR \_\_\_\_\_ EYE COLOR \_\_\_\_\_

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_

**PLEASE ENCLOSE TWO (2) CURRENT COLOR ID SIZE PHOTOS OF YOURSELF:**



**TO AVOID A DELAY IN PROCESSING, PLEASE INCLUDE ALL INFORMATION REQUESTED.**

I AFFIRM UNDER PENALTY OF PERJURY, THAT ALL INFORMATION I HAVE GIVEN IN OBTAINING THIS LICENSE IS TRUE. I UNDERSTAND THAT VIOLATIONS OF FEDERAL FISHERIES LAWS AND REGULATIONS MAY SUBJECT ME TO CRIMINAL AND CIVIL PENALTIES INCLUDING FINE AND/OR REVOCATION OF LICENSE. FURTHER, AS A CONDITION OF THIS OPERATOR'S PERMIT, I AGREE THAT IF THIS PERMIT IS SUSPENDED OR REVOKED PURSUANT TO 15 CFR PART 904, I WILL NOT BE ON BOARD A FEDERALLY PERMITTED FISHING VESSEL IN ANY CAPACITY WHILE THE VESSEL IS AT SEA OR ENGAGED IN OFFLOADING. IN OBTAINING THIS OPERATOR'S PERMIT, I UNDERSTAND THAT I MUST COMPLY WITH CURRENT LAW, WHICH REQUIRES THAT I BE A U.S. CITIZEN TO SERVE AS MASTER OR OFFICER IN CHARGE OF A DECK WATCH ON A U.S. DOCUMENTED FISHING VESSEL FISHING INSIDE THE EXCLUSIVE ECONOMIC ZONE.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

*Public reporting burden for this collection of information is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: NMFS, One Blackburn Drive, Gloucester, MA 01930-2298. The purpose and use of these permits are to (1) register industry participants and fishing vessels, (2) exercise influence over compliance, (3) provide a mailing list for the dissemination of important information to the industry, (4) register participants to be considered for limited entry, and (5) provide a universe for data collection samples. Both the MSFCMA and Executive Orders 12866 et al, require the determination of this information. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Any information submitted by any person to obtain a permit is not confidential, and may be disclosed upon request.*

OMB# 0648-0202 Expires 3/31/2004

U. S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC & ATMOSPHERIC ADMIN  
NATIONAL MARINE FISHERIES SERVICE  
PERMIT OFFICE  
ONE BLACKBURN DRIVE  
GLOUCESTER, MA 01930-2298



## INITIAL DEALER APPLICATION

Tel: (978) 281-9370

### SECTION 1 - DEALER INFORMATION

Southeast Dealer # (if available) \_\_\_\_\_

Company name: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State : \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

\*\*Vessel Name: \_\_\_\_\_ \*\*Vessel Hull Number: \_\_\_\_\_

\*\*(must enter vessel name and hull number above if applying for Atlantic Mackerel at Sea Processor or Atlantic Herring Processor, if herring processing will be done aboard a vessel)

Where there are more than one place of business where the regulated species are purchased or received for commercial purposes, each address must be listed. List those additional addresses on the back of this form in Section 1A.

### SECTION 2 - FISHERIES

Select the fisheries desired by placing an (X) in the boxes provided. Select all fisheries that apply.

☐ Atlantic Bluefin Tuna

☐ Northeast Multispecies

☐ Scup

☐ Other Atlantic Tunas \*

☐ American Lobster

☐ Black Sea Bass

\*(Yellowfin, Bigeye, Skipjack, Albacore)

☐ Squid, Mackerel, Butterfish

☐ Monkfish

☐ Surfclam/Ocean Quahog - Dealer

☐ Atlantic Mackerel at Sea Processor\*\*

☐ Atlantic Bluefish

☐ Surfclam/Ocean Quahog - Processor

☐ Atlantic Herring Processor\*\*

☐ Spiny Dogfish

☐ Summer Flounder

\*\* (see note in Section 1)

☐ Sea Scallop

☐ Atlantic Herring Dealer

☐ Tilefish

### SECTION 3 - OWNER'S SIGNATURE

I affirm, subject to the penalties provided in 18 USC 1001, that all information I have given in obtaining this permit is true and correct.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

5.12.01

OMB# 0648-0202 Expiration Date 3-31-2004

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, One Blackburn Drive, Gloucester, MA 01930-2298.

SECTION 1A - ADDITIONAL DEALER INFORMATION. If there is more than one place of business where the regulated species are purchased or received for commercial purposes, each address must be listed below.

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

The information requested on this form is not confidential and will be available to the general public.

The Paperwork Reduction Act requires potential respondents for a dealer/processor permit be notified of certain information regarding their rights and the burden associated with applying for a Federal dealer/processor permit. One of the regulatory steps taken by the National Marine Fisheries Service (NMFS) to carry out conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to purchase, or otherwise receive for transport, species harvested by the owner or operator of a fishing vessel issued a Federal fisheries permit for these species. Section 303(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance.

The purpose and use of permits is to: (1) register fish dealers and processor, (2) list the characteristics of dealer/processor operations, (3) exercise influence over compliance (e.g. withhold issuance pending collection of unpaid penalties), (4) provide a mailing list for the dissemination of important information to the industry, (5) provide a universe for data collection samples, and (6) obtain first purchase information on landings to evaluate the biological, economic and social implications of management measures.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

# **Magnuson-Stevens Fishery Conservation and Management Act**

## **Public Law 94-265**

As amended through October 11, 1996

### **SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS      16 U.S.C. 1853**

**95-354, 99-659, 101-627, 104-297**

**(a) REQUIRED PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall--

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are--

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify--

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, and charter fishing in the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and describe the likely effects, if any, of the conservation and management measures on--

(A) participants in the fisheries and fishing communities affected by the plan or amendment; and

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority--

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

**97-453, 99-659, 101-627, 102-251, 104-297**

**(b) DISCRETIONARY PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]\* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]\*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

- (A) present participation in the fishery,
- (B) historical fishing practices in, and dependence on, the fishery,
- (C) the economics of the fishery,
- (D) the capability of fishing vessels used in the fishery to engage in other fisheries,
- (E) the cultural and social framework relevant to the fishery and any affected fishing communities, and
- (F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.



**97-453, 104-297**

**(c) PROPOSED REGULATIONS.**--Proposed regulations which the Council deems necessary or appropriate for the purposes of--

(1) implementing a fishery management plan or plan amendment shall be submitted to the Secretary simultaneously with the plan or amendment under section 304; and

(2) making modifications to regulations implementing a fishery management plan or plan amendment may be submitted to the Secretary at any time after the plan or amendment is approved under section 304.